

Message Text

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ORIGIN L-02

INFO OCT-01 EUR-12 IO-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 CU-02 OIC-02 SAI-01

ACDA-05 TRSE-00 /071 R

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

USMISSION USBERLIN

C O N F I D E N T I A L STATE 114525

E.O. 11652: GDS

TAGS:CSCE, PFOR, XG, GE, GW, WB

SUBJECT: CSCE: QUADRIpartite RIGHTS AND RESPONSIBILITIES

REF: A) GENEVA 3533

B) STATE 104773

1. DEPT WOULD NOT OBJECT TO SUBSTITUTION OF "LEGAL"

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FOR "EXISTING"BEFORE "RIGHTS AND OBLIGATIONS" IN SWISS

VERSION OF QRR TEXT AS PROPOSED PARA 2 REF A. THIS WOULD MEET THE POINT MADE PARA 1 REF B AND HELP REDUCE POSSIBILITY OF MISREADING TEXT AS APPLYING TO BREZHNEV DOCTRINE.

2. WE CONCUR GENERALLY IN ASSESSMENT OF SOVIET PROPOSALS FOR MINOR MODIFICATIONS OF WORD "RESPONSIBILITIES" IN PRESENT FRENCH TEXT (PARA 7 REF A). WHILE WORD "RECOGNIZED" COULD BE INTERPRETED TO COVER QRR'S WHICH ARE "RECOGNIZED" UNDER ARTICLE 107 OF UN CHARTER, USSR MIGHT WELL FIND THAT RIGHT TO INTERVENE TO PROTECT SOCIALISM IS "RECOGNIZED" IN VARIOUS OF ITS TREATIES. FURTHER, "RECOGNITION" OF RIGHTS IS A NEW TEST TO WHICH WE WOULD NOT WISH TO HAVE TO SUBJECT QRR'S, WHILE "LEGALITY" IS TEST WHICH MUST, IN ANY EVENT, BE MET FOR "RIGHT" TO EXIST.

3. REGARDING MIDDLE FALLBACK, WE WOULD HAVE NO DIFFICULTY WITH THAT BEING ADVANCED, POSSIBLY WITH THE INSERTION OF WORD "LEGAL" BEFORE "RIGHTS OR OBLIGATIONS." FRG DESIRE TO DROP "WHICH REFLECT THEM" WOULD, HOWEVER, MAKE REMAINDER OF SENTENCE INTO NONSENSE, IF WE READ IT CORRECTLY, UNLESS SOME SUCH WORD AS "CORRESPONDING" IS PUT IN BEFORE REFERENCE TO TREATIES, AGREEMENTS OR ARRANGEMENTS. WE WOULD APPRECIATE EXPLANATION OF FRG CONCERNS.

4. REGARDING POSSIBLE UK PROPOSAL TO ADD "WITH RESPECT TO OTHER STATES" TO SWISS TEXT, WE WOULD AGREE WITH DELEGATION THAT THIS IS NOT NECESSARY AND THAT, LOGICALLY, IT WOULD NEED REPHRASING AS SUGGESTED REF A. SINCE IMPLICATION OF ADDITIONAL PHRASE IS THAT CSCE DOCUMENTS DO CHANGE LEGAL RIGHTS AND RESPONSIBILITIES OF EACH STATE INTERNALLY, WE WOULD VIEW BRITISH PROPOSAL AS SURE-FIRE METHOD OF COMPLICATING TASK OF BRINGING SOVIETS ALONG. BRITISH SHOULD BE INFORMED OF OUR MILDLY NEGATIVE REACTION.

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